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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>  |  | ATTORNEY'S DOCKET NUMBER<br>3560-0142P1S1                           |
|  |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br><b>10/524769</b> |
| INTERNATIONAL APPLICATION NO.<br>PCT/NL2003/000566   | INTERNATIONAL FILING DATE<br>6 August 2003 | PRIORITY DATE CLAIMED<br>16 August 2002                             |
| TITLE OF INVENTION      METHOD AND ARRANGEMENT FOR PERFORMING MEASUREMENTS OF THE<br>TOPOGRAPHY OF A SURFACE BY MEANS OF A THERMAL EMISSION FROM THE<br>SURFACE  |  |   |
| APPLICANT(S) FOR DO/EO/US      Franciscus Hermanus Maria JONGSMA and Johny BRABANDER DE  |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |
| 1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.<br>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.<br>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.<br>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).<br>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2))<br>a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> has been communicated by the International Bureau.<br>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).<br>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).<br>a. <input type="checkbox"/> is attached hereto.<br>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).<br>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))<br>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> have been communicated by the International Bureau.<br>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<br>d. <input checked="" type="checkbox"/> have not been made and will not be made.<br>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).<br>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).<br>10. <input checked="" type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). |  |   |
| Items 11 to 20 below concern document(s) or information included:  |  |   |
| 11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<br>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<br>13. <input checked="" type="checkbox"/> A preliminary amendment.<br>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.<br>15. <input type="checkbox"/> A substitute specification.<br>16. <input type="checkbox"/> A power of attorney and/or change of address letter.<br>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.<br>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).<br>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).<br>20. <input checked="" type="checkbox"/> Other items or information: PCT/IB/308; PCT/IPEA/409; Five (5) sheets of Formal Drawings  |  |   |

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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|---|--|---|--------------------------------------|--|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/524769</b>   |  | INTERNATIONAL APPLICATION NO.<br><b>PCT/NL2003/000566</b>                     |                                      | ATTORNEY'S DOCKET NUMBER<br><b>3560-0142PUS1</b> |              |
| The following fees have been submitted  |  |   |                                      | CALCULATIONS                                     | PTO USE ONLY |
| 21.   | <input checked="" type="checkbox"/> Basic national fee ..... | \$300   |                                      | \$ 300.00  |              |
| 22.   | <input checked="" type="checkbox"/> Examination fee          |   |                                      |  |              |
| If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....  |  |   |                                      | \$100  |              |
| All other situations .....  |  |   |                                      | \$200  |              |
| 23.   | <input checked="" type="checkbox"/> Search fee               |   |                                      |  |              |
| Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....   |  |   |                                      | \$100  |              |
| International Search Report prepared and provided to the Office .....   |  |   |                                      | \$400  |              |
| All other situations .....  |  |   |                                      | \$500  |              |
| <b>TOTAL OF 21, 22 and 23 =</b>   |  |   |                                      | \$ 1,000.00                                      |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |  |   |                                      |  |              |
| Total Sheets  | Extra sheets   | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE                                 |  |              |
| 27 - 100 =  | /50 =  |   | x \$250.00                           |  |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).   |  |   |                                      | \$ 130.00  |              |
| CLAIMS  | NUMBER FILED   | NUMBER EXTRA  | RATE                                 |  |              |
| Total claims  | 31 - 20 =  | 11  | x 50.00                              | \$ 550.00  |              |
| Independent claims  | 2 - 3 =  | 0   | x 200.00                             | \$ 0.00  |              |
| MULTIPLE DEPENDENT CLAIM(s) (if applicable)   |  |   | +                                    | \$   |              |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>  |  |   |                                      | \$ 1,680.00                                      |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.  |  |   |                                      |  |              |
| <b>SUBTOTAL =</b>   |  |   |                                      | \$ 1,680.00                                      |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).  |  |   |                                      | +  | \$           |
| <b>TOTAL NATIONAL FEE =</b>   |  |   |                                      | \$ 1,680.00                                      |              |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |  |   |                                      | +  | \$ 0.00      |
| <b>TOTAL FEES ENCLOSED =</b>  |  |   |                                      | \$ 1,680.00                                      |              |
|   |  |   |                                      | Amount to be refunded:                           | \$           |
|   |  |   |                                      | Amount to be charged:                            | \$           |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1,680.00</u> to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>02-2448</u> . A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |  |   |                                      |  |              |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.   |  |   |                                      |  |              |
| SEND ALL CORRESPONDENCE TO:   |  |   |                                      |  |              |
| CUSTOMER NUMBER: 02292  |  |   | SIGNATURE: <u>Joe McKinney Muncy</u> |  |              |
| February 16, 2005   |  |   | NAME: <u>Joe McKinney Muncy</u>      |  |              |
| KM/nl   |  |   | REGISTRATION NUMBER: <u>32,334</u>   |  |              |

10/524769

DP12 Rec'd PCT/PTO 16 FEB 2005

Docket No.: 3560-0142PUS1  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Franciscus Hermanus Maria JONGSMA et al.

Application No.: Not Yet Assigned

Confirmation No.: N/A

Filed: February 16, 2005

Art Unit: N/A

For: METHOD AND ARRANGEMENT FOR  
PERFORMING MEASUREMENTS OF THE  
TOPOGRAPHY OF A SURFACE BY MEANS  
OF A THERMAL EMISSION FROM THE  
SURFACE

Examiner: Not Yet Assigned

**LETTER**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The PTO is requested to use the amended sheets/claims attached hereto (which correspond to Article 19 amendments or to claims attached to the International Preliminary Examination Report (Article 34)) during prosecution of the above-identified national phase PCT application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §1.16 or 1.14; particularly, extension of time fees.

10/524769

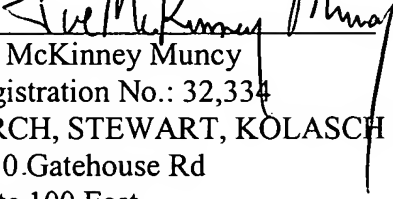
DT12 Rec'd PCT/PTO 16 FEB 2005

Docket No.: 3560-0142PUS1

Application No.: Not Yet Assigned

Dated: February 16, 2005  
KM/nl

Respectfully submitted,

By   
Joe McKinney Muncy  
Registration No.: 32,334  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Rd  
Suite 100 East  
P.O. Box 747  
Falls Church, Virginia 22040-0747  
(703) 205-8000  
Attorney for Applicant

Attachment(s)